

Delfasco Message Maps
Draft of 02-2-09

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| Question 2: Why aren't you addressing homes at the same action level as in the Order? | | |
| Response 1: The Order directs Delfasco to address risk in three phases. | Response 2: Since Delfasco did not comply with the Order, EPA is conducting the first phase through the emergency response program to address the immediate risk first. This response is based on a published State value of 14 ug/m3. | Response 3: Our goal is for Delfasco to continue the cleanup in the long term. |
| Supporting Fact 1: The first phase was to address immediate health risks. The Order considered homes that had TCE levels > 10 ug/m3 in this first priority because these are the levels associated with short-term risks. | Supporting Fact 1: The emergency response basis of 14 ug/m3 is consistent with and essentially equal to the Order's value of > 10 ug/m3. | Supporting Fact 1: We are working with DOJ to follow up with the bankruptcy filing. |
| Supporting Fact 2: The second phase is to conduct more extensive sampling and determine where to address vapor intrusion in homes when levels are below 10 ug/m3, which is a level that may be a concern for lifetime exposures. | Supporting Fact 2: EPA can utilize other authorities to address homes at lower levels on a less time critical basis. | Supporting Fact 2: We expect that the court will direct Delfasco to conduct the cleanup. |
| Supporting Fact 3: The third phase is a longer term response and will address the groundwater contamination. | Supporting Fact 3: Current air levels in homes may be higher or lower than past levels, but responses can only be based on current levels. | Supporting Fact 3: This is part of EPA's "polluter pays" philosophy. |